

96-444 [amending this section and enacting provisions set out as notes under this section].”

UNUSED SICK LEAVE AND UNUSED ANNUAL LEAVE OF TRANSFERRED EMPLOYEES; ANNUITY COMPUTATION AND LUMP SUM PAYMENT

Section 1(a)(2), (3) of Pub. L. 96-444 provided that:

“(2) For purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such employee as of the date such employee is transferred under paragraph (1) [amending subsec. (a) of this section], shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a)–(e) and (o) of such section.

“(3) In the case of days of annual leave to the credit of any such employee as of the date such employee is transferred under paragraph (1) [amending subsec. (a) of this section], the Architect of the Capitol is authorized to make a lump sum payment to each such employee for that annual leave. No such payment shall be considered a payment or compensation within the meaning of any law relating to dual compensation.”

APPOINTMENT OF GARAGE ATTENDANTS; COMPENSATION; LONGEVITY COMPENSATION

Section 2 of Pub. L. 96-444 provided that:

“(a) Effective October 1, 1980, the Sergeant at Arms and Doorkeeper of the Senate is authorized to appoint and fix the compensation of four garage attendants at not to exceed \$14,100 per annum each.

“(b) If, and to the extent that, positions established by subsection (a) are first filled by individuals transferred under subsection (a)(1) of the first section [amending subsec. (a) of this section], the Sergeant at Arms and Doorkeeper of the Senate is authorized to fix, in lieu of the compensation prescribed in subsection (a), the compensation—

“(1) of not more than two of such positions so filled at not to exceed \$16,560 per annum each;

“(2) of one of such positions so filled at not to exceed \$15,485 per annum; and

“(3) of one of such positions so filled at not to exceed \$14,390 per annum.

Compensation fixed under this subsection for a position first filled by an individual transferred under subsection (a)(1) of the first section shall cease to be applicable with respect to such position on the date that such individual first ceases to occupy such position.

“(c) During any period with respect to which subsection (b) is applicable to a position occupied by an individual described in such subsection, such individual shall be credited, for purposes of longevity compensation, as authorized by section 106(a), (b), and (d) of the Legislative Branch Appropriation Act, 1963 (2 U.S.C. 60j), for service performed by such individual in the position of garage attendant, as an employee of the Architect of the Capitol, as certified to the Secretary of the Senate by the Architect of the Capitol.”

APPLICABILITY OF OTHER LAWS

Section as unaffected by sections 193a to 193f, 212a, 212a-2, and 212b of this title, see note set out under section 193a of this title.

§ 186. Transfer of material and equipment to Architect

The Secretary of the Army is authorized to transfer, without payment, to the Architect of the Capitol, such material and equipment, not required by the Department of the Army, as the Architect may request for use at the Capitol power plant, the Capitol Building, and the Senate and House Office Buildings.

(June 5, 1920, ch. 253, 41 Stat. 1035; Mar. 3, 1921, ch. 124, 41 Stat. 1291; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CODIFICATION

Section is based on act June 5, 1920, popularly known as the “Third Deficiency Appropriation Act June 5, 1920, fiscal year 1920”.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted “Title 10, Armed Forces” which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

TRANSFER OF FUNCTIONS

For transfer of certain functions insofar as they pertain to Air Force, and to extent that they were not previously transferred to Secretary of the Air Force from Secretary of the Army, see Secretary of Defense Transfer Order No. 40 [App. A(65)], July 22, 1949.

§ 187. National Statuary Hall

Suitable structures and railings shall be erected in the old hall of Representatives for the reception and protection of statuary, and the same shall be under the supervision and direction of the Architect of the Capitol. And the President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished, the same shall be placed in the old hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statuary hall for the purpose herein indicated.

(R.S. § 1814; Aug. 15, 1876, ch. 287, 19 Stat. 147.)

CODIFICATION

R.S. § 1814 derived from act July 2, 1864, ch. 210, § 2, 13 Stat. 347.

Section 2 of act July 2, 1864, gave the supervision and direction of the National Statuary Hall to the Commissioner of Public Buildings.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

LOCATION OF STATUES

House Concurrent Resolution 47, passed Feb. 24, 1933, 47 Stat. Part 2, 1784, provided: “That the Architect of the Capitol, upon the approval of the Joint Committee on the Library, with the advice of the Commission of Fine Arts, is hereby authorized and directed to relocate within the Capitol any of the statues already received and placed in Statuary Hall, and to provide for the reception and location of the statues received hereafter from the States.”

§ 188. Works of fine arts

The Joint Committee on the Library, whenever, in their judgment, it is expedient, are au-

thorized to accept any work of the fine arts, on behalf of Congress, which may be offered, and to assign the same such place in the Capitol as they may deem suitable, and shall have the supervision of all works of art that may be placed in the Capitol.

(R.S. § 1831.)

CODIFICATION

R.S. § 1831 derived from act June 10, 1872, ch. 415, § 1, 17 Stat. 362.

CROSS REFERENCES

Art exhibits, not property of United States, prohibited, see section 189 of this title.

Commission of Fine Arts, see section 104 of this title.

§ 188a. United States Capitol Preservation Commission

(a) Establishment and purposes

There is established in the Congress the United States Capitol Preservation Commission (hereinafter in sections 188a to 188a-5 of this title referred to as the “Commission”) for the purposes of—

- (1) providing for improvements in, preservation of, and acquisitions for, the United States Capitol;
- (2) providing for works of fine art and other property for display in the United States Capitol and at other locations under the control of the Congress; and
- (3) conducting other activities that directly facilitate, encourage, or otherwise support any purposes specified in paragraph (1) or (2).

(b) Membership

The Commission shall be composed of the following Members of Congress:

- (1) The President pro tempore of the Senate and the Speaker of the House of Representatives, who shall be co-chairmen.
- (2) The Chairman and Vice-Chairman of the Joint Committee on the Library.
- (3) The Chairman and the ranking minority party member of the Committee on Rules and Administration of the Senate, and the Chairman and the ranking minority party member of the Committee on House Oversight of the House of Representatives.
- (4) The majority leader and the minority leader of the Senate.
- (5) The majority leader and the minority leader of the House of Representatives.
- (6) The Chairman of the Commission on the Bicentennial of the United States Senate and the Chairman of the Commission of the House of Representatives Bicentenary, to be succeeded upon expiration of such commissions, by a Senator or Member of the House of Representatives, as appropriate, appointed by the Senate or House of Representatives co-chairman of the Commission, respectively.
- (7) One Senator appointed by the President pro tempore of the Senate and one Senator appointed by the minority leader of the Senate.
- (8) One Member of the House of Representatives appointed by the Speaker of the House of Representatives and one Member of the House of Representatives appointed by the minority leader of the House of Representatives.

(c) Designees

Each member of the Commission specified under subsection (b) of this section (other than a member under paragraph (7) or (8) of such subsection) may designate a Senator or Member of the House of Representatives, as the case may be, to serve as a member of the Commission in place of the member so specified.

(d) Architect of the Capitol

In addition to the members under subsection (b) of this section, the Architect of the Capitol shall participate in the activities of the Commission, ex officio, and without the right to vote.

(e) Staff support and assistance

The Senate Commission on Art, the House of Representatives Fine Arts Board, and the Architect of the Capitol shall provide to the Commission such staff support and assistance as the Commission may request.

(Pub. L. 100–696, title VIII, § 801, Nov. 18, 1988, 102 Stat. 4608; Pub. L. 104–186, title II, § 221(7), Aug. 20, 1996, 110 Stat. 1749.)

AMENDMENTS

1996—Subsec. (b)(3). Pub. L. 104–186 substituted “House Oversight” for “House Administration”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 188a–1, 188a–2, 188a–5 of this title.

§ 188a–1. Authority of Commission to accept gifts and conduct other transactions relating to works of fine art and other property

(a) In general

In carrying out the purposes referred to in section 188a(a) of this title the Commission is authorized—

- (1) to accept gifts of works of fine art, gifts of other property, and gifts of money; and
- (2) to acquire property, administer property, dispose of property, and conduct other transactions related to such purposes.

(b) Transfer and disposition of works of fine art and other property

The Commission shall, with respect to works of fine art and other property received by the Commission—

- (1) in consultation with the Joint Committee on the Library, the Senate Commission on Art, or the House of Representatives Fine Arts Board, as the case may be, transfer such property to the entity consulted;
- (2) if a transfer described in paragraph (1) is not appropriate, dispose of the work of fine art by sale or other transaction; and
- (3) in the case of property that is not directly related to the purposes referred to in section 188a(a) of this title, dispose of such property by sale or other transaction.

(c) Requirements for conduct of transactions

In conducting transactions under this section, the Commission shall—

- (1) accept money only in the form of a check or similar instrument made payable to the Treasury of the United States and shall de-